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Legislative  
Assembly  
of Ontario



Assemblée  
législative  
de l'Ontario

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## Official Report of Debates (Hansard)

F-20

## Journal des débats (Hansard)

F-20

### Standing Committee on Finance and Economic Affairs

Stronger, Healthier Ontario  
Act (Budget Measures), 2017

2<sup>nd</sup> Session  
41<sup>st</sup> Parliament

Tuesday 16 May 2017

### Comité permanent des finances et des affaires économiques

Loi de 2017 pour  
un Ontario plus fort  
et en meilleure santé  
(mesures budgétaires)

2<sup>e</sup> session  
41<sup>e</sup> législature

Mardi 16 mai 2017

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Chair: Peter Z. Milczyn  
Clerk: Eric Rennie

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Président : Peter Z. Milczyn  
Greffier : Eric Rennie



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### Editorial: The Role of the Journal

The Journal of the American Academy of Nursing is a peer-reviewed journal that provides a forum for the advancement of nursing knowledge and practice. The journal is published quarterly and is available in both print and electronic formats.

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## LEGISLATIVE ASSEMBLY OF ONTARIO

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON  
FINANCE AND ECONOMIC AFFAIRSCOMITÉ PERMANENT DES FINANCES  
ET DES AFFAIRES ÉCONOMIQUES

Tuesday 16 May 2017

Mardi 16 mai 2017

*The committee met at 0830 in room 151.*STRONGER, HEALTHIER ONTARIO  
ACT (BUDGET MEASURES), 2017LOI DE 2017 POUR  
UN ONTARIO PLUS FORT  
ET EN MEILLEURE SANTÉ  
(MESURES BUDGÉTAIRES)

Consideration of the following bill:

Bill 127, An Act to implement Budget measures and to enact, amend and repeal various statutes / Projet de loi 127, Loi visant à mettre en œuvre les mesures budgétaires et à édicter, à modifier ou à abroger diverses lois.

**The Chair (Mr. Peter Z. Milczyn):** Good morning. As per the order of the House dated Thursday, May 11, 2017, we're assembled here for clause-by-clause consideration of Bill 127, An Act to implement Budget measures and to enact, amend and repeal various statutes.

The committee is authorized to sit today from 8:30 a.m. to 1 p.m. Committee members will know that at 9:30 a.m., I am required to interrupt the proceedings and shall, without further debate or amendment, put every question necessary to dispose of all remaining sections of Bill 127 and any amendment thereto. From that point forward, those amendments which have not yet been moved shall be deemed to have been moved, and I will take the vote on them consecutively. As per the order of the House, a 20-minute waiting period will be permitted.

Bradley Warden from legislative counsel is here to assist us with our work, should we have any questions for him.

A copy of the numbered amendments filed before the deadline is on your desk. The amendments have been numbered in the order in which the sections and schedules appear in the bill.

Are there any questions before we begin?

As you will notice, Bill 127 is comprised of three sections and 33 schedules. In order to deal with the bill in an orderly fashion, I'm going to suggest that we postpone the three sections, in order to dispose of the schedules first. Is there unanimous consent to stand down the sections and deal with the schedules first? Very well.

Before we begin schedule 1, I will allow each party to make some brief comments on the bill as a whole.

Afterwards, debate should be limited to the section or amendment under consideration.

Any further questions? Ms. Hoggarth.

**Ms. Ann Hoggarth:** My favourite question: Are we able to bundle some?

**The Chair (Mr. Peter Z. Milczyn):** Yes, certainly. As we move along, we'll do that.

**Ms. Ann Hoggarth:** Thank you.

**The Chair (Mr. Peter Z. Milczyn):** General comments? Mr. Fedeli.

**Mr. Victor Fedeli:** I think I would echo the comments I made yesterday at the opening of the committee meeting. Here we were, at five to 12 yesterday, passing second reading of Bill 127. Sometime later, notice was sent out that the deputations would begin at 1 p.m. that very day. So in less than an hour, people were expected to be here until 7 p.m.

Of course, because there was such short notice, we did not have a good representation. We had great deputations, but not broad representation. There weren't even enough deputations to fill the day. That, again, is not surprising, considering the fact that there was virtually no notice.

Here we are today, without even time to have considered the deputations of yesterday, to take those into account, because these amendments needed to be in by 7 p.m. last night—hand-delivered by 7 p.m., and gone through legislative counsel, to be able to prepare them in the format that they're accepted in, in this hearing. That takes considerable time to do.

Those deputations that the people made yesterday—why did we even fool ourselves into having them make a deputation, when nothing that they had to say could possibly make it to today, or very little of it make it to today?

I find that reprehensible, Chair, that this is being rammed through so very quickly with really no consultation from the members of the public and, in fact, no substantive consultation, because it would be almost impossible to have what they had to say put into amendments for today.

I find that to be very upsetting from a government that continues to say they are open and transparent. It's one thing to say it, but what's actually happening is completely the opposite, in my opinion, Chair. I continue to speak about that and I will continue to speak about it publicly. Thank you for the opportunity.



**The Chair (Mr. Peter Z. Milczyn):** Thank you, Mr. Fedeli.

Mr. Vanthof.

**Mr. John Vanthof:** This is my first time representing the NDP in this process, and I have to say that I am incredibly disappointed—probably a better word is “alarmed.” The budget bill is one of the most important pieces of legislation that goes through the House. You always hear from people here about omnibus bills and how they have so many things. This is truly an omnibus bill.

It was voted on yesterday at noon, and the deputant hearings started at 1 p.m. It's physically impossible for anyone who doesn't live in the GTA, even if you get notice on time, to get here to actually make a deputation.

At the outset, what the government has done is eliminated the ability of anyone who has a job other than watching the government to make a deputation. The government is basically saying, “You know what? People who have regular jobs, who need to give a day's notice, who need to actually have more than an hour's notice: They don't matter.” The government has just told the people of Ontario, “We don't care. You don't matter.”

Furthermore, the people who were here, who made good deputations—now, the government, by doing the clause-by-clause today, the very next day, and having to have the amendments submitted by 7 o'clock, also told those deputants that they don't matter either, that the only people who matter in the province of Ontario is the government of the day.

That is a travesty for the democracy of this province. After five years, I think this government has reached a new low on disregard for the people who have made this province great: the people both in the cities and in the country who are interested in democracy but are losing their interest rapidly because of stuff like this.

If you came yesterday and did everything you can and then you know that it doesn't matter—it's almost like the last budget, when you had hearings after. We thought the government would have learned to at least give the appearance of taking people's opinions under consideration. Obviously, this government hasn't learned.

On behalf of my leader and our caucus, we are incredibly disappointed at the actions of the government.

**The Chair (Mr. Peter Z. Milczyn):** Thank you, Mr. Vanthof.

Mr. Baker.

**Mr. Yvan Baker:** I listened to the comments of the two members who just spoke. It's almost like they're living in an alternate reality.

They talk about the lack of consultation and the lack of listening to people across Ontario. This committee travelled to many communities across Ontario. I travelled to many communities across Ontario. Minister Sousa travelled to many communities across Ontario. A lot of our members had pre-budget consultation events, either formally or informally, or heard input from people and stakeholders as to what should be in the budget.

To suggest that somehow we have not consulted or not listened in the development of this budget is simply untrue. Nothing could be further from the truth.

The reason that we are in a position where this has to be moved along more quickly than we would otherwise do it is because the PCs introduced a reasoned amendment that delayed this process and the budget. We need to make sure the budget is passed so that it can benefit people as soon as possible. The idea that somehow this is part of a government plot to not listen to people is again not accurate and not reflective of what's happening. I think the PCs need to take their share of responsibility for what's happened here.

**0840**

At the end of the day, the member from the NDP—who I personally like and respect very much; I simply disagree with him on this—talked about how this government is prioritizing the government of the day. This is really about making sure that we enact the measures in this budget to help the people of Ontario as soon as possible. We want to make sure that the people of Ontario benefit from this over the course of the summer. We're really eager to move this along and get the budget passed to help the people of Ontario—that's why we're here—but we certainly have listened. We just need to make sure that the people of Ontario benefit from this.

**The Chair (Mr. Peter Z. Milczyn):** Thank you, Mr. Baker. If there are no further comments, we'll move on to the clause-by-clause.

On schedule 1, there are no proposed amendments. I would suggest we deal with schedule 1, sections 1 and 2, together. Is there any comment? All those in favour of schedule 1, sections 1 and 2? All those opposed? The schedule is carried.

We carried the two sections. Now I have to ask you, shall schedule 1 carry? All those in favour? Opposed? Schedule 1 is carried.

On schedule 2, the Assessment Act, there are no proposed amendments. There are four sections. I suggest we vote on sections 1 through 4, inclusive, together. Shall schedule 2, sections 1 through 4, inclusive, be carried? Those in favour? Opposed? Those sections are carried.

Shall schedule 2 carry? All those in favour? Opposed? Schedule 2 is carried.

Schedule 3, Chartered Professional Accountants of Ontario Act, 2017: There are no proposed amendments here. There are 79 sections, so I suggest that we vote on the 79 sections together. Shall schedule 3, sections 1 through 79, inclusive, be carried? All those in favour? Opposed? Those sections are carried.

Shall schedule 3 carry? All those in favour? Opposed? That is carried.

Schedule 4, City of Toronto Act, 2006: Sections 1 through 7 have no amendments proposed, so I suggest we vote on those together. Shall schedule 4, sections 1 through 7, inclusive, be carried? All those in favour? Opposed? Those sections are carried.



There are several amendments proposed to section 8. Mr. Fedeli.

**Mr. Victor Fedeli:** I move that subsection 302.1(1) of the City of Toronto Act, 2006, as set out in section 8 of schedule 4 to the bill, be amended by striking out “in the year” and substituting “before the year”.

**The Chair (Mr. Peter Z. Milczyn):** Mr. Fedeli.

**Mr. Victor Fedeli:** The proposed Liberal amendment would allow the city of Toronto, as a “for instance” here, to impose a tax on vacant units in the year. That means they could pass a bylaw in October and retroactively tax from January of that same year. The amendment would change that from being a retroactive tax all the way back to January—change it to before the year. That’s the argument that we make, Chair.

**The Chair (Mr. Peter Z. Milczyn):** Thank you. Other comments? Mr. Baker.

**Mr. Yvan Baker:** We’ve all heard a lot of concerns about the lack of residential units. One of the components of those concerns for a lot of folks is the issue of homes left vacant. So we’ve been working with the city of Toronto collaboratively on a range of issues. This is one of the measures that the city had requested to help address this issue. The idea here is that a vacant home tax could encourage property owners to sell units that are unoccupied or make them available to be rented. This could, in turn, address the housing supply issue and help promote affordability.

This amendment grants the city of Toronto the authority to levy an additional property tax on vacant homes, but the city ultimately is the one responsible for the design, the implementation of the tax and the administration of the tax etc. The municipalities are a mature level of government. The city of Toronto is a mature government, and it has the ability to determine how that tax should be designed and when it should be imposed, if at all. We’re just giving the city of Toronto the option, which is what they requested.

**The Chair (Mr. Peter Z. Milczyn):** Further comments? Seeing none, then on the amendment to schedule 4, section 8, on subsection 302.1(1) of the City of Toronto Act, 2006: All those in favour of the amendment? Opposed? That is lost.

The next amendment: Mr. Fedeli.

**Mr. Victor Fedeli:** I move that subsection 302.1(1) of the City of Toronto Act, 2006, as set out in section 8 of schedule 4 to the bill, be amended by striking out—sorry. I’ll start over again, if you don’t mind.

I move that section 302.1 of the City of Toronto Act, 2006, as set out in section 8 of schedule 4 to the bill, be amended by adding the following section:

“Cost benefit—

**The Chair (Mr. Peter Z. Milczyn):** Mr. Fedeli, you misread.

**Mr. Victor Fedeli:** Am I reading the wrong one again?

**The Chair (Mr. Peter Z. Milczyn):** No, no. I think you just—

**Mr. Victor Fedeli:** Did I miss a word?

**The Chair (Mr. Peter Z. Milczyn):** You said “section” instead of “subsection.”

**Mr. Victor Fedeli:** Oh, thank you. All right. I’ll start yet again.

I move that section 302.1 of the City of Toronto Act, 2006, as set out in section 8 of schedule 4 to the bill, be amended by adding the following subsection:

“Cost benefit analysis required

“(1.1) The city shall not pass a by-law described in subsection (1) until the Minister of Finance has conducted a cost benefit analysis of the effect of imposing the tax and has published a copy of the analysis on the site of the Ministry of Finance on the Internet.”

**The Chair (Mr. Peter Z. Milczyn):** Mr. Fedeli.

**Mr. Victor Fedeli:** The government admits that very little research has been done into what impacts this will actually have on the market. This would require the finance minister to justify their decision to impose the vacancy tax.

A cost-benefit analysis is a critical component of understanding the law of unintended consequences. What is this going to do? What is it going to correct, if anything? The government has admitted on more than one occasion that they don’t have the information, that they certainly don’t know what this is intended to correct, if anything, or what the real problem is—there’s obviously a problem, but they haven’t identified what the problem is. They haven’t put a number to what the problem is yet they’re developing a solution. This would at least take the time to develop a cost-benefit analysis.

I recall in 2011 when the Auditor General came to the committee and discussed the fact that in terms of the Green Energy Act, as a “for instance,” he said that it’s unfortunate that a cost-benefit analysis wasn’t done. They could have understood back in 2009 the law of unintended consequences that this Green Energy Act was going to produce for the province of Ontario and how energy rates would spike.

0850

Here we’re saying, look, let’s learn from the past mistakes, do a cost-benefit analysis of this particular new imposition and at least we’ll have the data. Thank you, Chair.

**The Chair (Mr. Peter Z. Milczyn):** Thank you, Mr. Fedeli. Mr. Baker.

**Mr. Yvan Baker:** Thanks very much. In debating the previous amendment, I made a number of the points I would make in respect to this one as well. I think what I would simply emphasize is that the amendment proposed by the opposition would in fact delay the city of Toronto’s ability to impose a vacancy tax, which they had requested.

We’ve debated the issue around housing in the House and extensively in the public. We all know that this is a crisis for a lot of folks and that measures that can be taken to address the housing affordability issue or the lack of access to housing is something that I think we all agree needs to be enacted as soon as possible to provide relief to families as soon as possible.



If we were to pass this amendment, it would delay this measure being implemented, should the city of Toronto wish to do so, and that would simply not allow the city of Toronto to take action to address this housing crisis, which is imposing tremendous challenges for a lot of people.

Again, the city of Toronto is a mature level of government. They have the ability to analyze the pros and cons, the intended and the unintended consequences. We've been working with the city of Toronto closely on a number of issues, including this one. This is something that they've requested, and for those reasons, I would suggest the amendment be defeated.

**The Chair (Mr. Peter Z. Milczyn):** Any further comment? Seeing none, on the amendment to schedule 4, section 8, subsection 302.1(1.1) of the City of Toronto Act, 2006: All those in favour? Opposed? That amendment is lost.

There is a further amendment proposed. Mr. Fedeli.

**Mr. Victor Fedeli:** I move that part XII.1 of the City of Toronto Act, 2006, as set out in section 8 of schedule 4 to the bill, be amended by adding the following section:

"Report on vacant units owned by the government of Ontario

"302.1.1 Within 60 days after the end of the year in which the Stronger, Healthier Ontario Act (Budget Measures), 2017 receives royal assent and within 60 days after each anniversary of that year end, the Minister of Finance shall prepare a report setting out the number of vacant units described in subsection 302.1(1) that the government of Ontario owns as of the applicable year end, including the municipal address of each, and shall,

"(a) submit the report to the Lieutenant Governor in Council;

"(b) lay the report before the assembly, if it is in session; and

"(c) deposit the report with the Clerk of the Assembly, if the assembly is not in session."

Basically, this is asking the government to table a report to the Legislature indicating just how many residential units they own that are not currently occupied. That is basically what this is asking. Again, what we find the government to be doing is, "Ready, fire, aim."

We heard a moment ago that there's a crisis in the housing market, and of course we all understand that. But again, Chair, this is a crisis created by the Liberal government, by adding red tape and new regulations that have strangled development and put a chill on growth. As we heard from many of the developers—well, first of all, we know some of the rules that are put in, stretching out 18 months before applications are granted. We talked to developers who tell us that from the time they drive down a highway and see a piece of property that they think would be a suitable subdivision to the time that the first toilet flushes in that subdivision can be between 16 and 20 years in the province of Ontario. That's what they have told us.

Obviously there's a problem created by these new regulations and the red tape. We understand that there's a

crisis and we understand where it came from, but at least this would give us the information to be able to make intelligent decisions.

**The Chair (Mr. Peter Z. Milczyn):** Further comments?

**Mr. Yvan Baker:** The city has the ability through the proposed legislation to request that the province provide the information that is being discussed here, or any other information relevant to the decision. The province has been working closely with the city on addressing the housing crisis. To me, there's no need to legislate this. This is something that the city and the province can work together on and that the city could certainly request, as part of their deliberations.

Again, we're treating the city of Toronto as a mature level of government. They've requested this. We're accommodating that request and we believe they have the ability to analyze the pros and cons and collect the necessary data and request the necessary data they need to make the decision as to how to proceed.

**The Chair (Mr. Peter Z. Milczyn):** Further comment? On the amendment to schedule 4, section 8, on section 302.1(1) of the City of Toronto Act, 2006: All those in favour of the amendment? Opposed? That amendment is lost.

On schedule 4, section 8, is there any further discussion? Shall schedule 4, section 8, be carried? All those in favour? Opposed? That schedule is carried.

On schedule 4, sections 9 through 12, inclusive, there are no further amendments proposed. I'm suggesting we vote on those together. Shall schedule 4, sections 9 through 12, inclusive, be carried? All those in favour? Opposed? Those sections are carried.

Mr. Fedeli has given notice of intent to vote against schedule 4. Mr. Fedeli.

**Mr. Victor Fedeli:** You've heard all of the amendments and the fact that none of these thoughtful amendments have made it through this government. It is our recommendation that we vote against schedule 4.

**The Chair (Mr. Peter Z. Milczyn):** Further comment? Seeing none, shall schedule 4 be carried? All those in favour? Opposed? That is carried.

Schedule 5, the Commodity Futures Act: There are no amendments proposed to this schedule. Sections 1 through 5 are before us. I suggest we vote on them together. Any discussion? Seeing none, shall schedule 5, sections 1 through 5, inclusive, be carried? All those in favour? Opposed? Those sections are carried.

Shall schedule 5 be carried? All those in favour? Opposed? Schedule 5 is carried.

Schedule 6, the Crown Employees Collective Bargaining Act, 1993: There are no amendments proposed. We have schedule 6, sections 1 through 6. I suggest we vote on them together. Shall schedule 6, sections 1 through 6, inclusive, be carried? All those in favour? Opposed? Those sections are carried.

On schedule 6, any discussion? Shall schedule 6 be carried? All those in favour? Opposed? Schedule 6 is carried.



Schedule 7, the Education Act: There are three sections. There are no amendments proposed. I suggest we vote on them together. Any discussion? Shall schedule 7, sections 1 through 3, inclusive, be carried? All those in favour? Opposed? Those sections are carried.

On schedule 7, is there any discussion? Seeing none, shall schedule 7 be carried? All those in favour? Opposed? That schedule is carried.

**0900**

Schedule 8, Electricity Act, 1998: There are three sections, and no amendments have been proposed. I suggest we vote on the three sections together. Is there any discussion? Shall schedule 8, sections 1 through 3, inclusive, be carried? All those in favour? Opposed? Those sections are carried.

On schedule 8, any discussion? Shall schedule 8 be carried? All those in favour? Opposed? That is carried.

Schedule 9, Employer Health Tax Act: There are two sections. No amendments have been proposed. I suggest we vote on the two sections together. Is there any discussion? Shall schedule 9, sections 1 and 2, be carried? All those in favour? Opposed? Those sections are carried.

On schedule 9, any discussion? Shall schedule 9 be carried? All those in favour? Opposed? Schedule 9 is carried.

Schedule 10, Financial Administration Act: There are three sections. No amendments have been proposed. I suggest we vote on the three sections together. Is there any discussion? Shall schedule 10, sections 1 through 3, inclusive, be carried? All those in favour? Opposed? Those sections are carried.

On schedule 10, is there any discussion? Shall schedule 10 be carried? All those in favour? Opposed? Schedule 10 is carried.

Schedule 11, Financial Services Commission of Ontario Act, 1997: There are two sections. No amendments have been proposed. I suggest we vote on the two sections together. Is there any discussion? Shall schedule 11, sections 1 and 2, be carried? All those in favour? Opposed? Those sections are carried.

On schedule 11, any discussion? Shall schedule 11 be carried? All those in favour? Opposed? Schedule 11 is carried.

Schedule 12, Forest Fires Prevention Act: There are four sections. No amendments have been proposed. I suggest we vote on the four sections together. Is there any discussion? Shall schedule 12, sections 1 through 4, inclusive? Shall they be carried? All those in favour? Opposed? Those sections are carried.

On schedule 12, any discussion? Shall schedule 12 be carried? All those in favour? Opposed? Schedule 12 is carried.

Schedule 13, Freedom of Information and Protection of Privacy Act: There are seven sections. No amendments have been proposed. I suggest we vote on the seven sections together. Is there any discussion? Shall schedule 13, sections 1 through 7, inclusive, be carried? All those in favour? Opposed? Those sections are carried.

On schedule 13, is there any discussion? Shall schedule 13 be carried? All those in favour? Opposed? Schedule 13 is carried.

Schedule 14, Fuel Tax Act: There have been amendments proposed to section 1. Mr. Baker.

**Mr. Yvan Baker:** I move that section 1 of schedule 14 to the bill be amended by adding the following subsection:

“(3) The definition of ‘northern terminal’ in subsection 1(1) of the act is amended by,

“(a) striking out ‘90 per cent’ and substituting ‘70 per cent’; and

“(b) striking out ‘tank car, each such tank car transporting not less than 70,000 litres of middle distillate fuels to the storage facility’.”

**The Chair (Mr. Peter Z. Milczyn):** Mr. Baker?

**Mr. Yvan Baker:** These are changes to allow biodiesel and renewable alternative fossil fuels to be more widely available as part of Ontario's tax-exempt coloured fuel program. To support renewable fuels such as biodiesel, the province is proposing changes to the Fuel Tax Act to add a new category of registered dyers, who will be permitted to dye biodiesel that has not been blended, mixed or combined with any other type or grade of fuel.

This new category of registered dyers will be exempt from the fuel transportation requirements currently imposed on all registered dyers. This basically enables more companies to offer coloured biodiesel products while assisting us in the transition to a low-carbon economy.

**The Chair (Mr. Peter Z. Milczyn):** Further comment? Mr. Fedeli.

**Mr. Victor Fedeli:** What we just heard, we understood that was in the act. We're curious as to the change from 90% to 70%. We don't understand what has happened since the bill was first written to last night to effect that change.

**The Chair (Mr. Peter Z. Milczyn):** Mr. Baker.

**Mr. Yvan Baker:** Sure. This proposed amendment would ease the current transportation requirements to register as a dyer by allowing all companies that dye fuel to transfer their fuel by rail rather than just companies in northern Ontario, reducing the proportion of fuel that must be transferred by a company in northern Ontario by rail from 90% to 70% and eliminating the requirement that each rail car contain at least 70,000 litres of fuel. This allows more companies to participate in this activity.

**The Chair (Mr. Peter Z. Milczyn):** Further discussion? Seeing none, on the amendment to schedule 14, section 1, subsection 1(1) of the Fuel Tax Act, all those in favour? Opposed? The amendment is carried.

There is an additional amendment proposed to schedule 14, section 1. Mr. Baker.

**Mr. Yvan Baker:** I move that section 1 of schedule 14 to the bill be amended by adding the following subsection:



“(4) The definition of ‘terminal’ in subsection 1(1) of the act is amended by striking out ‘or pipeline’ at the end and substituting ‘pipeline or rail’.”

Similar to the comments I made for the previous amendment, these are changes to allow biodiesel, a renewable alternative to fossil fuel, to be more widely available as part of Ontario’s tax-exempt coloured fuel program. To support renewable fuel such as biodiesel, we’re proposing changes to the Fuel Tax Act to add a new category of registered dyers who will be permitted to dye biodiesel that has not been blended, mixed or combined with any other type or grade of fuel. This new category of registered dyers will be exempt from the fuel transportation requirements currently imposed on all registered dyers. This would enable more companies to offer coloured biodiesel products while assisting us in the transition to a low-carbon economy.

Anticipating a question from the opposition, I would say that the proposed amendments to schedule 14 would ease the current transportation requirements to register as a dyer by allowing all companies that dye fuel to transfer their fuel by rail rather than just those in northern Ontario, reducing the proportion of fuel that must be transferred by a company in northern Ontario by rail from 90% to 70% and eliminating the requirement that each rail car contain at least 70,000 litres of fuel. This just allows more companies to participate in the program.

**The Chair (Mr. Peter Z. Milczyn):** Any further discussion? On the amendment to schedule 14, section 1, subsection 1(1) of the Fuel Tax Act, all those in favour? Opposed? The amendment is carried.

Now on schedule 14, section 1, as amended, is there any discussion? Shall schedule 14, section 1, as amended, be carried? All those in favour? Opposed? Schedule 14, section 1, as amended, is carried.

There are no further amendments proposed to this schedule. We have sections 2 through 4. I suggest we vote on them together. Is there any discussion? Shall schedule 14, sections 2 to 4, inclusive, be carried? All those in favour? Opposed? Those sections are carried.

On schedule 14, as amended, any discussion? Shall schedule 14, as amended, be carried? All those in favour? Opposed? Schedule 14, as amended, is carried.

Schedule 15, Investment Management Corporation of Ontario Act, 2015: There are four sections. There are no amendments proposed. I suggest we vote on the four sections together. Is there any discussion? Shall schedule 15, sections 1 through 4, inclusive, be carried? All those in favour? Opposed? Those sections are carried.

On schedule 15, is there any discussion? Shall schedule 15 be carried? All those in favour? Opposed? That is carried.

Schedule 16, land transfer act: There are no amendments proposed—

*Interjection.*

**The Chair (Mr. Peter Z. Milczyn):** Sorry, Land Transfer Tax Act. There are no amendments proposed to sections 1 through 3. I suggest we vote on those together. Is there any discussion on sections 1 through 3? Shall

schedule 16, sections 1 to 3, inclusive, be carried? All those in favour? Opposed? Those sections are carried.

**0910**

There is a proposed amendment to section 4. Mr. Fedeli.

**Mr. Victor Fedeli:** I move that subsections 4(1) and (2) of schedule 16 to the bill be struck out.

**The Chair (Mr. Peter Z. Milczyn):** Mr. Fedeli.

**Mr. Victor Fedeli:** The amendment does not entitle a foreign spouse to the full rebate. It seems to me that this is targeting the wrong individuals, if you will. If you’ve got somebody who is married to someone who is not a Canadian resident, then that person—the spouse—is not entitled to the \$4,000 credit.

I’m not sure if that was actually the intent of the government in the first place. I just find that quite surprising. This would correct that.

**The Chair (Mr. Peter Z. Milczyn):** Further comment? Mr. Baker.

**Mr. Yvan Baker:** Just to recap, to help Ontarians buy their first home, we have doubled the maximum refund to \$4,000 for first-time homebuyers. The refund is restricted to Canadian citizens and permanent residents. Purchasers who are not Canadian citizens or permanent residents when a transaction closes have 18 months to become eligible and can apply for the refund within the 18-month period.

For that reason, I will not be supporting the motion.

**The Chair (Mr. Peter Z. Milczyn):** Further discussion? Mr. Fedeli.

**Mr. Victor Fedeli:** Again, you give \$4,000 to first-time homebuyers who are Canadian citizens, but if their spouse is not a Canadian citizen, then that spouse is not entitled to the \$4,000. It hardly seems to me that that weighs into the equation. If, for some reason, you have someone who is not a Canadian citizen as your spouse, you are entitled, but because your spouse is not a Canadian citizen, they are not entitled. I understand that they have time to become a Canadian citizen, if that is within their realm. They are entitled to \$2,000 but not \$4,000. I just find that patently unfair.

I don’t think somebody is in that situation just to try to look for an additional \$2,000 from the government. I just find that it really is unfair in this particular case where you’ve got somebody who is the spouse of a Canadian citizen not being entitled.

Thank you, Chair.

**Mr. Yvan Baker:** I would simply add—sorry, Chair.

**The Chair (Mr. Peter Z. Milczyn):** Mr. Baker.

**Mr. Yvan Baker:** Thanks. I would simply say, just for clarification, that those who are eligible for the refund are Canadian citizens and permanent residents, right? Just for clarity. But we’re giving folks 18 months to become eligible to qualify. To me, that’s pretty reasonable.

**The Chair (Mr. Peter Z. Milczyn):** Any further discussion? On the amendment to schedule 16, section 4, subsections 4(1) and (2), clause 9.2(3)(b) and subsections 9.2(4) and (4.1) of the Land Transfer Tax Act: All those



in favour of the amendment? Opposed? That amendment is lost.

On schedule 16, section 4, is there any further discussion? Shall schedule 16, section 4, be carried? All those in favour? Opposed? Schedule 16, section 4, is carried.

There are no amendments proposed to schedule 16, sections 5 and 6. I suggest we vote on them together. Is there any discussion? Shall schedule 16, sections 5 and 6, be carried? All those in favour? Opposed? Those sections are carried.

On schedule 16, is there any discussion? Shall schedule 16 be carried? All those in favour? Opposed? Schedule 16 is carried.

Schedule 17, the Ministry of Natural Resources Act and related amendments: There are 10 sections. There are no amendments proposed. I suggest we vote on the 10 sections together. Is there any discussion? Shall schedule 17, sections 1 through 10, inclusive, be carried? All those in favour? Opposed? Those sections are carried.

On schedule 17, is there any discussion? Shall schedule 17 be carried? All those in favour? Opposed? Schedule 17 is carried.

Schedule 18, the Ministry of Revenue Act: There are four sections. No amendments have been proposed. I suggest we vote on the four sections together. Is there any discussion? Shall schedule 18, sections 1 to 4, inclusive, be carried? All those in favour? Opposed? Those sections are carried.

On schedule 18, is there any discussion? Shall schedule 18 be carried? All those in favour? Opposed? Schedule 18 is carried.

Schedule 19: Sections 1 through 4 have no amendments proposed. I suggest we vote on them together. Is there any discussion? Shall schedule—oh, did I say—

*Interjection.*

**The Chair (Mr. Peter Z. Milczyn):** Okay. Schedule 19 is the Municipal Act, 2001. Schedule 19, sections 1 through 4, inclusive: Shall that be carried? All those in favour? Opposed? Those sections are carried.

On schedule 19, section 5, there are amendments proposed. Mr. Fedeli.

**Mr. Victor Fedeli:** I move that subsection 338.2(1) of the Municipal Act, 2001, as set out in section 5 of schedule 19 to the bill, be amended by striking out “in the year” and substituting “before the year”.

**The Chair (Mr. Peter Z. Milczyn):** Mr. Fedeli.

**Mr. Victor Fedeli:** Chair, I made the exact same argument a few minutes ago when we looked at this bill in an earlier section.

**The Chair (Mr. Peter Z. Milczyn):** Mr. Baker.

**Mr. Yvan Baker:** I would simply add, just to clarify: This would require that a motion by the municipality, by the city, imposing a tax be passed before the year to which the tax relates. There are a couple of consequences. One is that this would prevent the city from imposing this tax this year, but it also—if you think about it, municipalities often finalize their budgets, including tax rates, after the fiscal year has begun. Our view is that we provide the city with the necessary flexibility to

design the tax, implement it, administer it etc., and determine the timing of that as well. That’s why I propose voting against this motion.

**The Chair (Mr. Peter Z. Milczyn):** Mr. Fedeli.

**Mr. Victor Fedeli:** To clarify, this would mean that if, in the fall, the municipality in this case were to pass this tax bill, it could be retroactive to January. This amendment would stop that from happening.

**The Chair (Mr. Peter Z. Milczyn):** Further discussion? Mr. Baker.

**Mr. Yvan Baker:** I would simply add that the city has a range of revenue measures at its disposal, and could theoretically do so in another context on another tax. We treat the city as a mature level of government that is accountable to taxpayers and to voters, and so therefore, we’re giving them the flexibility to impose the tax in a responsible way. But ultimately, we’re giving them the power to determine what’s appropriate in the context of their municipality.

0920

**The Chair (Mr. Peter Z. Milczyn):** Further discussion? Then, on the amendment to schedule 19, section 5, subsection 338.2(1) of the Municipal Act, 2001: All those in favour? Opposed? That amendment is lost.

There is another amendment proposed for schedule 19, section 5. Mr. Fedeli?

**Mr. Victor Fedeli:** I move that section 338.2 of the City of Toronto Act, 2006, as set out in section 5 of schedule 19 to the bill, be amended by adding the following subsection:

“Cost benefit analysis required

“(1.1) No municipality shall pass a bylaw described in subsection (1) until the Minister of Finance has conducted a cost benefit analysis of the effect of imposing the tax and has published a copy of the analysis on the site of the Ministry of Finance on the Internet.”

**The Chair (Mr. Peter Z. Milczyn):** Thank you, Mr. Fedeli. I’m ruling this amendment out of order. In the body of your amendment, you’re proposing to amend the City of Toronto Act, 2006, but in the actual bill, it refers to the Municipal Act, 2001. Given the time allocation, you’re not able to correct or amend the proposed amendment at committee.

**Mr. Victor Fedeli:** Thank you, Chair.

**The Chair (Mr. Peter Z. Milczyn):** There’s a further amendment proposed to schedule 19, section 5. Mr. Fedeli?

**Mr. Victor Fedeli:** I’ll yield to Mr. Barrett.

**Mr. Toby Barrett:** I move that part IX.1 of the Municipal Act, 2001, as set out in section 5 of schedule 19 to the bill, be amended by adding the following section:

“Report on vacant units owned by the government of Ontario

“338.2.1 Within 60 days after the end of the year in which the Stronger, Healthier Ontario Act (Budget Measures), 2017 receives royal assent and within 60 days after each anniversary of that year end, the Minister of Finance shall prepare a report setting out the number of vacant units described in subsection 338.2(1) that the

government of Ontario owns as of the applicable year end, including the municipal address of each, and shall,

“(a) submit the report to the Lieutenant Governor in Council;

“(b) lay the report before the assembly, if it is in session; and

“(c) deposit the report with the Clerk of the Assembly, if the assembly is not in session.”

**The Chair (Mr. Peter Z. Milczyn):** Thank you. Mr. Barrett?

**Mr. Toby Barrett:** I have no comments, really.

**The Chair (Mr. Peter Z. Milczyn):** Mr. Baker, any further discussion?

So, on the amendment to schedule 19, section 5, section 338.2.1 of the Municipal Act, 2001: All those in favour of the amendment? Opposed? The amendment is lost.

On schedule 19, section 5, is there any further discussion? Shall schedule 19, section 5, be carried? All those in favour? Opposed? Schedule 19, section 5, is carried.

There are no further amendments proposed to schedule 19. We have sections 6 through 13. I suggest we vote on them together. Is there any discussion? Shall schedule 19, sections 6 to 13, inclusive, be carried? All those in favour? Opposed? Those sections are carried.

Mr. Fedeli, you've given notice on schedule 19.

**Mr. Victor Fedeli:** I have, Chair. Thank you. For the very reasons that I used on the last notice, where none of the thoughtful amendments were accepted by the government, we will recommend voting against schedule 19.

**The Chair (Mr. Peter Z. Milczyn):** Further discussion? Seeing none, shall schedule 19 be carried? All those in favour? Opposed? Schedule 19 is carried.

Schedule 20, Municipal Freedom of Information and Protection of Privacy Act: There have been no amendments proposed. We have sections 1 through 6. I suggest we vote on those together. Is there any discussion? On schedule 20, sections 1 through 6, inclusive: All those in favour? Opposed? Those sections are carried.

On schedule 20, is there any discussion? Shall schedule 20 be carried? All those in favour? Opposed? Schedule 20 is carried.

Schedule 21, Municipal Property Assessment Corporation Act, 1997: There are two sections, and no amendments have been proposed. I suggest we vote on the two sections together. Any discussion? Shall schedule 21, sections 1 and 2, be carried? All those in favour? Opposed? They are carried.

On schedule 21: Any discussion? Shall schedule 21 be carried? All those in favour? Opposed? Schedule 21 is carried.

Schedule 22, Nursing Act, 1991: No amendments have been proposed. We have sections 1 to 6. I suggest we vote on them together. Any discussion? Shall schedule 22, sections 1 through 6, inclusive, be carried? All those in favour? Opposed? Those sections are carried.

On schedule 22, is there any discussion? All those in favour of schedule 22 being carried? Opposed? Schedule 22 is carried.

Schedule 23, Oil, Gas and Salt Resources Act: No amendments have been proposed to sections 1 to 3. I suggest we vote on those together. Is there any discussion? Shall schedule 23, sections 1 to 3, inclusive, be carried? All those in favour? Opposed? Sections 1 to 3 are carried.

On schedule 23, section 4: Mr. Vanthof.

**Mr. John Vanthof:** I move that section 4 of schedule 23 to the bill be amended by adding the following subsection:

“(2) Section 13 of the act is amended by adding the following subsection:

“Prohibition, hydraulic fracturing

“(4) Despite subsections (1) and (2), no licence or permit shall be granted in respect of a project that involves high-volume hydraulic fracturing.”

**The Chair (Mr. Peter Z. Milczyn):** Mr. Vanthof.

**Mr. John Vanthof:** Thank you, Chair. In the briefings provided by the government this section was described as mainly having to do with the storage of compressed air in salt mines, to store hydro, basically. We brought up the issue that there seemed to be some changes regarding what the government had proposed regarding hydraulic fracturing, which is commonly known as fracking. It's a very controversial process, and we believe that if the government is possibly changing the rules on hydraulic fracturing, that should be a fulsome debate and not included in the budget bill like this. We think this amendment would protect that. If the government would like to change the rules for fracking, they should be brought forward in a separate bill.

**The Chair (Mr. Peter Z. Milczyn):** Thank you. Further discussion? Mr. Baker.

**Mr. Yvan Baker:** The government's position is very clear: We don't support fracking in Ontario. That's been stated explicitly on a number of occasions, and we're not accepting applications for fracking.

The challenge with the motion is it could inadvertently prohibit low-impact activities that are part of conventional, currently accepted activities I think we would all agree to being legal. So, given we don't support fracking, we're not accepting applications and we're not proceeding, but given that we want to make sure that other forms of exploration and research continue, we are recommending against the motion.

**The Chair (Mr. Peter Z. Milczyn):** Mr. Vanthof.

**Mr. John Vanthof:** Again, it's not our position that we are accusing the government of trying to change the rules. We are trying to be very specific and to not hinder other projects. We are putting this motion forward specifically for high-volume hydraulic fracturing, which is fracking. We don't believe that this motion contradicts what the government has just said. We are not trying to hinder individual projects; we are just trying to concur with what the member just said.

But again, we want to make sure that hydraulic fracking continues to be prohibited in this province, or continues to be frowned upon in this province. That's why we want to add this amendment.



0930

**The Chair (Mr. Peter Z. Milczyn):** Further discussion?

**Mr. Yvan Baker:** I understand where the member is coming from completely. I think the challenge with the motion is that it could inadvertently prohibit the low-impact activities that I think we would all agree should be permitted as part of research and exploration that currently exists that doesn't relate to fracking. So I recommend voting against the motion for that reason.

**The Chair (Mr. Peter Z. Milczyn):** No further discussion? Then, on the amendment to schedule 23, subsection 4(2), on subsection 13 (4) of the Oil, Gas and Salt Resources Act, all those in favour of the amendment? Opposed? That amendment is lost.

Committee members, pursuant to the order of the House dated Thursday, May 11, 2017, I'm required to interrupt the proceedings and shall, without further debate or amendment, put every question necessary to dispose of all remaining sections of Bill 127 and any amendments thereto. All the other amendments are in order.

One 20-minute waiting period will be permitted. Committee members will know that from this point forward, those amendments which have not yet been moved shall be deemed to have been moved and I will take the vote on them consecutively.

Mr. Barrett?

**Mr. Toby Barrett:** Just a point of order, Chair. With respect to the ensuing amendments, I know there are some of our amendments, some government amendments. Just for purposes of the membership of the committee, I wondered if we could request, those of us who have put forward motions, just to share the reasons for these in writing. It can be subsequent to this—

**The Chair (Mr. Peter Z. Milczyn):** Mr. Barrett, you can do whatever you like in writing subsequent to this, but from this point forward in the meeting, there is no discussion on any of the amendments or the sections. We will simply take the votes consecutively, as per the order of the House.

**Mr. Toby Barrett:** So I'll send you a note just requesting—

**The Chair (Mr. Peter Z. Milczyn):** By all means, you can send me a note.

On motion number 11, an amendment to schedule 23, subsection 4(3), on subsection 13(5) of the Oil, Gas and Salt Resources Act, all those in favour of the amendment? Opposed? That amendment is lost.

Shall schedule 23, section 4, be carried? All those in favour? Opposed? Schedule 23, section 4, is carried.

On schedule 23, subsection 5, an amendment to subsection 5(11), on clause 17(2)(j.4) of the Oil, Gas and Salt Resources Act, all those in favour of the amendment? All those opposed? That amendment is lost.

Shall schedule 23, section 5, be carried? All those in favour? Opposed? Section 5 is carried.

Schedule 23, section 6: Shall it be carried? All those in favour? Opposed? Section 6 is carried.

There is an amendment proposed to schedule 23, section 7, on clauses 19(d.1) and (d.2) of the Oil, Gas and Salt Resources Act. All those in favour of the amendment? Opposed? The amendment is lost.

Shall schedule 23, section 7, be carried? All those in favour? Opposed? Schedule 23, section 7, is carried.

Schedule 23, sections 8 and 9: Shall they be carried? All those in favour? Opposed? Sections 8 and 9 are carried.

Shall schedule 23 be carried? All those in favour? Opposed? Schedule 23 is carried.

Schedule 24, Ontario Drug Benefit Act: Schedule 24, section 1, an amendment to subsection 1(2), on subsection 6(1) of the Ontario Drug Benefit Act. All those in favour of the amendment? Opposed? The amendment is carried.

A further amendment to schedule 24, subsection 1(2), on subsection 6(1.1) of the Ontario Drug Benefit Act: All those in favour of the amendment? All those opposed? That amendment is lost.

An amendment to schedule 24, subsections 1(3) to (6), on subsection 6(1) of the Ontario Drug Benefit Act: All those in favour of the amendment? All those opposed? That amendment is lost.

Shall schedule 24, section 1, as amended, be carried? All those in favour? Opposed? Schedule 24, section 1, as amended, is carried.

Schedule 24, section 2, an amendment to subsection 2(1.1), on clause 18(1)(g.3) of the Ontario Drug Benefit Act: All those in favour of the amendment? Opposed? That amendment is carried.

An amendment to schedule 24, subsection 2(3), on clause 18(1)(g.3) and subsection 18(8) of the Ontario Drug Benefit Act: All those in favour of the amendment? All those opposed? The amendment is lost.

An amendment to schedule 24, subsection 2(3), on subsection 18(8) of the Ontario Drug Benefit Act: All those in favour of the amendment? All those opposed? The amendment is carried.

Shall schedule 24, section 2, as amended, be carried? All those in favour? Opposed? Schedule 24, section 2, as amended, is carried.

Schedule 24, section 3, an amendment to section 3, the Ontario Drug Benefit Act: All those in favour of motion number 19—just to be clear. All those in favour? Opposed? That amendment is lost.

Schedule 24, section 3, commencement—page 20 in your package. All those in favour of that amendment? Those opposed? That amendment is carried.

Shall schedule 24, section 3, as amended, be carried? All those in favour? Opposed? That is carried.

Shall schedule 24, as amended, be carried? All those in favour? Opposed? Schedule 24, as amended, is carried.

Schedule 25, Ontario Infrastructure and Lands Corporation Act, 2011, sections 1 through 4, inclusive: All those in favour? Opposed? Sections 1 through 4, inclusive, are carried.

Shall schedule 25 be carried? All those in favour? Opposed? Schedule 25 is carried.

Schedule 26, Ontario Loan Act, 2017, sections 1 through 4, inclusive: Shall they be carried? All those in favour? Opposed? Those sections are carried.

Shall schedule 26 be carried? Those in favour? Opposed? Schedule 26 is carried.

Schedule 27, Pension Benefits Act, sections 1 through 22, inclusive: Shall they be carried? All those in favour? Opposed? Sections 1 through 22 are carried.

Shall schedule 27 be carried? All those in favour? Opposed? Schedule 27 is carried.

Schedule 28, Securities Act, sections 1 through 10: Shall they be carried? All those in favour? Opposed? Those sections are carried.

Shall schedule 28 be carried? All those in favour? Opposed? Schedule 28 is carried.

Schedule 29, Succession Law Reform Act, sections 1 and 2: Shall they be carried? All those in favour? Opposed? Those sections are carried.

Shall schedule 29 be carried? All those in favour? Opposed? Schedule 29 is carried.

Schedule 30, Taxation Act, 2007, sections 1 through 8, inclusive: Shall they be carried? All those in favour? Opposed? Sections 1 through 8 are carried.

Shall schedule 30 be carried? All those in favour? Opposed? Schedule 30 is carried.

Schedule 31, Taxpayer Protection Act, 1999: There is an amendment to schedule 31, section 1, on subsection 2(13) of the Taxpayer Protection Act, 1999, which is page 21 in your package. On the amendment: All those in favour? Opposed? The amendment is lost.

Shall schedule 31, section 1, be carried? All those in favour? Opposed? Section 1 is carried.

Schedule 31, section 2: Shall it be carried? All those in favour? Opposed? Section 2 is carried.

Shall schedule 31 be carried? All those in favour? Opposed? Schedule 31 is carried.

Schedule 32, Tobacco Tax Act, sections 1 through 12 inclusive: Shall they be carried? All those in favour? Opposed? Sections 1 through 12 are carried.

Shall schedule 32 be carried? All those in favour? Opposed? Schedule 32 is carried.

Schedule 33—

**Mr. John Vanthof:** Chair, can I ask that the votes on schedule 33 be recorded? Or do I have to ask for each one at a time?

**The Chair (Mr. Peter Z. Milczyn):** You can ask for the whole schedule to be recorded, or individual votes.

**Mr. John Vanthof:** The amendments and the entire—

**The Chair (Mr. Peter Z. Milczyn):** The amendments and the entire section? Very well.

Schedule 33, Workplace Safety and Insurance Act, 1997, amendment number 22 to schedule 33, section 1, subsections 13(4) and (5) of the Workplace Safety and Insurance Act, 1997: on the amendment, a recorded vote.

Ayes

Vanthof.

Nays

Baker, Dong, Hoggarth, Malhi, Martins.

**The Chair (Mr. Peter Z. Milczyn):** The amendment is lost.

Amendment to schedule 33, subsection 1(2), subsections 13(6) to (12) of the Workplace Safety and Insurance Act, 1997: on the amendment, a recorded vote.

Ayes

Vanthof.

Nays

Baker, Dong, Hoggarth, Malhi, Martins.

**The Chair (Mr. Peter Z. Milczyn):** The amendment is lost.

Shall schedule 33, section 1, be carried?

Ayes

Baker, Dong, Hoggarth, Malhi, Martins, Vanthof.

**The Chair (Mr. Peter Z. Milczyn):** Schedule 33, section 1, is carried.

Mr. Vanthof, did you want a recorded vote on sections 2 to 9, inclusive?

**Mr. John Vanthof:** No, we're okay.

**The Chair (Mr. Peter Z. Milczyn):** No? Okay.

Schedule 33, sections 2 to 9, inclusive: Shall they be carried? All those in favour? Opposed? Those sections are carried.

Shall schedule 33 be carried? Recorded vote.

Ayes

Baker, Dong, Hoggarth, Malhi, Martins.

Nays

Vanthof.

**The Chair (Mr. Peter Z. Milczyn):** Schedule 33 is carried.

On Bill 127: Shall section 1 be carried? All those in favour? Opposed? That is carried.

On section 2, commencement: Shall it be carried? All those in favour? Opposed? Carried.

On section 3, short title: Shall it be carried? All those in favour? Opposed? That is carried.

Shall the title of the bill carry? All those in favour? Opposed? That is carried.

**Mrs. Cristina Martins:** Excuse me, Chair: if I could ask for a recorded vote for the next vote.

**The Chair (Mr. Peter Z. Milczyn):** Certainly. Shall Bill 127, as amended, be carried?



**Ayes**

Baker, Dong, Hoggarth, Malhi, Martins.

**Nays**

Fedeli, Vanthof.

**The Chair (Mr. Peter Z. Milczyn):** Bill 127, as amended, is carried.

Shall I report the bill, as amended, to the House? All those in favour? Opposed? That is carried.

I believe that is all of our business for today. I thank the members of the committee. Committee is adjourned.

*The committee adjourned at 0944.*

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